

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, : Case No. 3:23-po-84
:
Plaintiff, :
vs. : Magistrate Judge Peter B. Silvain, Jr.
:
ANDREW CROOKS, :
:
Defendant. :
:

ORDER

This case is before the Court upon Defendant's Second Motion in Limine (Medical Records) (Doc. #39) and the Government's Response (Doc. #43).

Defendant moves for a pre-trial ruling on the admissibility of medical records at trial. (Doc. #39). Specifically, he requests admittance of the following records:

1. Mr. Crooks' medical records from Soin Medical Center (Kettering Health) located at 3535 Pentagon Blvd. Beavercreek, Ohio 45431 regarding treatment Mr. Crooks received on August 27, 2023, through August 28, 2023, related to the incident herein; [and]
2. Shakayle Ellis' medical records the government provided, related to the incident herein.

Id. Defendant asserts that the medical records are relevant, admissible hearsay, and self-authenticating. *Id.* at 203-04.

The Government does not object to the admissibility of these medical records.¹ (Doc. #43).

¹ The Government specifies: "The Government's understanding is that Defense is referring to the Defendant's entire medical record related to the event that gives rise to this case (81 pages) and that was provided as reciprocal discovery. The Government also does not object to admission of relevant medical records pertaining to [S.E.] in this case; specifically, those records generated as a result of the medical treatment sought from the offenses charged in this case." (Doc. #43, *PageID* #236).

Accordingly, for the reasons set forth therein, Defendant's Second Motion in Limine (Medical Records) (Doc. #39) is **GRANTED**.

IT IS SO ORDERED.

April 10, 2024

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge